

Yolanda Huang (State Bar No. 104543)
 LAW OFFICES OF YOLANDA HUANG
 PO Box 5475
 Berkeley, California 94705
 Telephone: (510) 329-2140
 Facsimile: (510) 580-9410
 E-Mail: yolanda@yhuanglaw.com

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO/OAKLAND DIVISION

ALAMEDA COUNTY MALE PRISONERS
 And Former Prisoners, DANIEL GONZALEZ,
 et al. on behalf of themselves and others
 similarly situated, as a Class, and Subclass
PLAINTIFFS,

vs.

ALAMEDA COUNTY SHERIFF'S
OFFICE, et al,
DEFENDANTS.

No. 3:19-cv-07423 JSC

PARTIES' STIPULATION
 REGARDING DISCOVERY DISPUTE
 ON PLAINTIFFS' SECOND
 REQUEST FOR PRODUCTION TO
 COUNTY DEFENDANTS' AND
~~Proposed~~ ORDER

Hon. Jacqueline S. Corley, Presiding

Filing Date: Nov. 12, 2019
 Trial Date: May 6, 2024

Plaintiffs served a second request for production on November 5, 2022. Defendants responded, on December 5, 2022, primarily with objections. On January 23, 2023, plaintiffs submitted an informal discovery letter to the Court. An informal conference with the Court was held on January 26, 2023, and the Court issued a Minute Order (ECF 251).

The parties met and conferred twice, and submit this stipulation as a resolution of the dispute.

1. **GRIEVANCES.** (Requests for Production 15 and 16). Plaintiffs had requested all grievances from inmates for the time period of January 1, 2015 through to the present.

County Defendants objected on the grounds that this request was overbroad and burdensome, and that County Defendants would be required to individually examine each grievance to

PARTIES STIPULATION REGARDING DISCOVERY DISPUTE ON PLAINTIFFS' SECOND REQUEST
 FOR PRODUCTION TO COUNTY DEFENDANTS

determine whether privacy and/or other privileges applied. County Defendants' Counsel represented that "the grievances can be searched by category, by summary, and by the text of the grievances. For example, if you search for food, we can return all grievances that have been categorized as "food"-related, if "food" appears in the summary, and if "food" appears in the text of the grievance. The latter search would obviously be subject to the machine readability of the handwriting contained in the grievances." Plaintiffs are concerned regarding the last caveat as the vast majority of all grievances are handwritten, but have agreed to defendants' proposal as an initial step towards obtaining grievances. Plaintiffs agree to provide key words for County Defendants to search on the three subjects covered by this litigation: food, sanitation, and medical care. County Defendants believe that Plaintiffs' concerns are unfounded because of the way grievances are categorized, maintained, and stored by ACSO's Grievance Unit.

1. Within 5 court days, Plaintiffs will provide defendants with a list of key words for defendants to search all inmate grievances on the three subjects covered by this litigation: food, sanitation, and medical care for the period of time from 2016 through to the present. County Defendants reserve the right to meet and confer with Plaintiffs regarding the scope and number of proposed keywords and/or search terms prior to initiating the search process and reserve the right to seek further Court assistance if the parties are unable to arrive at mutually-agreeable keywords and/or search terms. Any request by County Defendants to meet and confer must be made within 3 court days after receiving Plaintiffs' proposed keywords;
 2. Once the keywords or search terms are determined and agreed-upon, County Defendants agree to begin producing the grievances on a rolling basis within forty-five days of receiving the list of key words from plaintiffs.
2. REQUEST for PRODUCTION 17 THROUGH 24. These requests pertain to grievances, including grievance responses and emails discussing grievances, and any changes in jail operations due to grievances. County Defendants' Counsel represented that "[m]ost of these documents are going to be in individual grievances; however, we are looking further, and I will need 30 days to see if there is anything else." Therefore, the parties agree that 30 days

- from the date of this stipulation, County Defendants will respond in writing as to whether they have been able to determine if all of the documents specified in Requests 17 through 24 are notations and documents housed with the original grievances, and produced with the grievances. If there appear to be additional documents, County Defendants will provide Plaintiffs with an established timeframe for completing the additional document identification, collection and production and begin producing any additionally identified documents on a rolling basis as soon as possible, and in any event, no later than two weeks following the completion of the production referenced above in Paragraph 1.
3. REQUEST FOR PRODUCTION 25 through 29. County Defendants agree to produce all documents within 45 days.
 4. REQUEST FOR PRODUCTION 30 and 31. County Defendants continue to object to these requests pursuant to Federal Rule of Civil Procedure 26(b), because these requests are not reasonably tailored to obtain information relevant to any of the currently pled claims in this dispute. However, due to discussions occurring with the Court in the Mohrbacher matter, County Defendants have offered to meet and confer further with Plaintiffs about these requests pending the outcome of that Court's decision on whether the information sought by this request is relevant to any claims transferred by the Court from the Mohrbacher matter to this present matter. Plaintiffs have rejected County Defendants' offer. As a result, the parties agree to meet and confer no later than 7 days after the Court enters an order, on whether to transfer additional claims from Mohrbacher to this case. If Defendants do not make a timely request to meet and confer within 7 days of the Court's order transferring additional claims from Mohrbacher to, then County Defendants shall produce all documents within 45 days.
 5. REQUEST FOR PRODUCTION 32 and 33. These requests were for all body-worn camera footage and grievances for 21 specific inmates. County Defendants agreed to produce all grievances for these 21 inmates. County Defendants' Counsel further stated that ACSO only associates body-worn camera footage (BWC) with a specific inmate when a report is created. County Defendants' Counsel will review the grievances to see whether and which grievances indicate that a report was created so that the parties can continue meeting and conferring about the possible production of associated BWC footage. County Defendants will produce

all grievances for the 21 specific inmates within ten days of the execution of this stipulation. County Defendants will confirm within 45 days after the date of this stipulation as to whether there is any BWC footage pertaining to any of the grievances produced in response to Requests for Production 32 and 33. County Defendants will produce all additional bodyworn camera footage as soon as possible but no later than 75 days after the date of this stipulation.

IT IS SO STIPULATED.

Dated: February 9, 2023

LAW OFFICE OF YOLANDA HUANG

By /s/ Yolanda Huang

Yolanda Huang
Attorney for Plaintiffs

Dated: February 9, 2023

SKANE, MILLS

By: /s/ Jonathan Belaga

Jonathan Belaga
Attorneys for Defendants
ALAMEDA COUNTY DEFENDANTS

[Proposed]
ORDER

The parties having stipulated,

IT IS ORDERED as follows:

1. GRIEVANCES. Within 5 court days of the stipulation in this case, Plaintiffs will provide defendants with a list of key words for County Defendants to search all inmate grievances on the three subjects covered by this litigation: food, sanitation, and medical care for the period of time from 2015 through to the present;
2. County Defendants shall have the opportunity to request the parties to meet and confer within 3 court days after receiving Plaintiffs' proposed keywords;
3. If County Defendants do not request to meet and confer within 3 court days of receiving Plaintiffs' keywords and/or the parties agree on the keywords or search terms after the meet and confer, within 45 days of receiving the list of key words from plaintiffs, County Defendants will begin producing the grievances on a rolling basis.
4. REQUEST for PRODUCTION 17 THROUGH 24. Within 30 days of the stipulation County Defendants will respond in writing as to whether all of the documents specified in Requests 17 through 24 are notations and documents housed with the original grievances, and produced with the grievances. County Defendants will produce any additionally identified documents on a rolling basis as soon as possible, and in any event, no later than two weeks following the completion of the production referenced above in Paragraph 1.
5. REQUEST FOR PRODUCTION 25 through 29. County Defendants shall produce all documents within 45 days.
6. REQUEST FOR PRODUCTION 30 and 31. The parties agree to meet and confer no later than 7 days after the Court enters an order, on whether to transfer additional claims from Mohrbacher to this case. Within 7 days of the Court's order transferring additional claims, if County Defendants do not make a timely request to meet and confer, then County Defendants shall produce all documents within 45 days.
7. REQUEST FOR PRODUCTION 32 and 33. For the 21 specifically named inmates, County Defendants will produce all their grievances within ten days. County Defendants will confirm

within 45 days after the date of the stipulation whether there are any bodyworn camera footage pertaining to any of the grievances produced, and produce said bodyworn camera footage as soon as possible but no later than 75 days after the date of the stipulation.

Date: February 13, 2023

